

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FINJAN LLC,
Plaintiff,

v.

PALO ALTO NETWORKS, INC.,
Defendant.

Case No. 14-cv-04908-PJH

**ORDER DENYING ADMINISTRATIVE
MOTION FOR LEAVE TO INCLUDE
MORE THAN TEN CLAIM TERMS IN
CLAIM CONSTRUCTION STATEMENT**

Re: Dkt. No. 135

Before the court is Palo Alto Networks' administrative motion to include more than ten claim terms in the joint claim construction statement. See Dkt. 135.

The Patent Local Rules of this district impose a ten-term limit on the number of terms identified in the joint claim construction statement. See Patent L.R. 4-3(c). This court's standing order for patent cases further states that a party must "demonstrate good cause" to identify more than ten terms. See Standing Order for Patent Cases, ¶ 4.

While Palo Alto Networks asserts that "good cause exists" to identify more than ten terms in the joint claim construction statement, it also concedes that "at this point it is not certain whether those disputes [related to the additional claim terms] will be relevant to the trier of fact." See Dkt. 135 at 3.

In its opposition to the motion, Finjan points out that "no court in this district has needed to construe more than ten terms in the first round of claim construction in any Finjan case." Dkt. 136 at 1; see also Finjan, Inc. v. Cisco Systems, Inc., 17-cv-0072, Dkt. 92 (Dec. 11, 2017) (denying administrative motion to include more than ten terms for construction). Finjan also argues that Palo Alto Networks "fails to identify why any

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specific term over the ten-term limit would be material to the case.” Dkt. 136 at 1.

The court in Cisco concluded that the moving party “ha[d] not shown good cause for briefing additional terms at this juncture,” and this court reaches the same conclusion in this case. See Cisco, 17-cv-0072, Dkt. 92 at *2. Palo Alto Networks has not demonstrated good cause for identifying more than ten claim terms in the joint claim construction statement, and its administrative motion is DENIED.

IT IS SO ORDERED.

Dated: July 12, 2021

/s/ Phyllis J. Hamilton
PHYLLIS J. HAMILTON
United States District Judge